



W.P.No.20162 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2026

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.20162 of 2026

and WMP.Nos.21580, 21583, 21584,
21585, 21586, 23817 & 24971 /2026

1.Subramaniam,

2.Anbalagan,

Petitioner(s)

Vs.

1.The District Collector,
District Collectorate, Namakkal,
Namakkal District-637003.

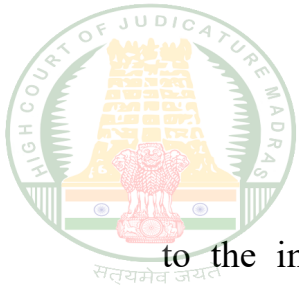
2.The Tahsildar,
Office of Tahsildar, Mohanur,
Namakkal District - 637 015.

3.The Executive Officer,
Mohanur Town Panchayat,
Mohanur,
Namakkal District - 637015.

Respondent(s)

Prayer: This Writ Petition filed under Article 226 of the Constitution of India,
to issue a Writ of Certiorarified Mandamus, to call for the entire records relating

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to the impugned order dated 02.11.2024 passed by the 1st respondent and consequential orders dated 03.03.2026 and 06.04.2026 passed by the 3rd respondent and quash the same and consequential direction directing the respondents not to use the land comprised in S.No.391/2, Mohanur Village, Mohanur Taluk, Namakkal District, classified as “Kalam Poramboke”, for any other purpose apart from Agricultural purposes, by considering the Petitioners’ representations dated 19.02.2026 and 25.03.2026.

For Petitioners : Mr.S.Senthil

For Respondents : Mr.M.Sivavarthan for R1 & R2
Government Counsel
Mr.T.Gowthaman
Additional Advocate General
Assisted by
Mr.C.Prabakaran for R3
Government Counsel

ORDER

The petitioners have challenged the order dated 02.11.2024 passed by the first respondent, by which approval was granted for establishing a Sewage Treatment Plant (STP) in Survey No.391/2, Mohanur Village, Mohanur Taluk, Namakkal District, a land classified as “Kalam Poramboke”, and the land was transferred in favour of the third respondent for that purpose.



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2. The petitioners are residents of the village. According to them, the said land has been used by the villagers for several decades for agricultural purposes, such as parking tractors and lorries, loading harvested crops, and unloading manure, pesticides and other agricultural materials.

3. It is the case of the respondents that the land was transferred for establishing the STP pursuant to directions issued by the National Green Tribunal. It is also stated that sewage is presently being discharged into a canal situated about 50 metres from the site, resulting in pollution.

4. Heard the learned counsel appearing on either side.

5. Pursuant to the order of this Court dated 24.06.2026, the Revenue Divisional Officer, Namakkal, has filed a status report. It states that the subject land, measuring 0.40.00 hectares and classified as Government “Kalam Poramboke”, was transferred to the Executive Officer, Mohanur Selection Grade Town Panchayat, by proceedings of the District Collector dated 02.11.2024 under Revenue Standing Order 24.



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6. The status report further states that the land has not been used by the public for agricultural purposes for the past 60 years and remains vacant. It also states that no other suitable land is available within the Town Panchayat for establishing the STP. An alternative “Kalam” land is available in the neighbouring village of Kumaripalayam, about 500 metres away, but it is already being used by the villagers there as a “Kalam” for over 30 years and has a permanent concrete structure. The report also states that the proposed STP site is about 40 metres from the Mohanur canal, which is presently polluted by untreated sewage flowing downstream into the River Cauvery.

7. The petitioners contend that, under the guidelines of the Tamil Nadu Pollution Control Board, a Sewage Treatment Plant cannot be established within 250 metres of a canal or other water body.

8. A Division Bench of this Court, in W.P.No.39570 of 2025, while dealing with a similar challenge to the location of an STP near a water body, held that the authorities had selected the site after considering all relevant factors, public objections and technical requirements. The Division Bench further held that, once the project is implemented in accordance with the norms



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and approvals of the Tamil Nadu Pollution Control Board, the apprehension of the petitioners is without basis.

9. The same principle applies to the present case. The petitioners do not have any vested right to use the Government land exclusively for agricultural purposes. The Government is competent to reclassify and transfer such land for a public purpose. At the same time, the STP can be established only after complying with the guidelines of the Tamil Nadu Pollution Control Board and obtaining all necessary statutory approvals. Therefore, the petitioners' apprehension that the STP will necessarily violate the Pollution Control Board norms is premature and without merit.

10. Accordingly, the writ petition is disposed of with a direction to the respondent authorities to establish the Sewage Treatment Plant strictly in accordance with the guidelines and requirements of the Tamil Nadu Pollution Control Board. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking order : Yes/No
dna

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